

REVISED JUNE 17, 2005

AGENDA
OPEN SESSION
REGULATION, ADMISSIONS AND DISCIPLINE OVERSIGHT COMMITTEE

State Bar of California
180 Howard Street, 4th Floor
Conference Room
San Francisco, CA 94105

10:30 - 11:30

Thursday, June 23, 2005

Questions regarding any agenda item should be directed to the Committee Coordinator, Doug Hull, (415) 538-2015. Committee members are encouraged to notify the Committee Coordinator as early as possible in advance of the meeting if they wish to make changes to this agenda.

- I. **REMARKS OF THE CO-CHAIRS** **(2 minutes)**

- II. **CONSENT ITEMS** **(3 minutes)**
 - A. **Proposed Deletion of Rule That Specifies the Process for Filing a Request to Typewrite an Examination**
Request for Release for Public Comment: Amendments to *Rules Regulating Admission to Practice Law in California* (Braun) [Pages 1 - 6]

 - B. **Proposed Modification of Rule Relating to Tolling of Limitation Period for (1) Matters Involved in Alternative Discipline Program, (2) Abated Investigation Matters, and (3) Matters Pending in Audit and Review**
Request for Release for Public Comment: Amendment to Rule 51, *Rules of Procedure of the State Bar of California* (Drexel) [Pages 7 - 10]

III. ACTION ITEMS

(40 minutes)

- A. **Proposed Revisions to the *Guidelines and Minimum Standards for the Operation of Mandatory Fee Arbitration Programs***
Request for release for public comment (Sperber) [Pages 11 - 20]
- B. **Proposed Revisions to Admissions' Refund of Fees Policy that: 1) Provide for the return of an application and fees if a registration has not been timely filed; (2) Clarifies the documents needed by Attorneys' Examination applicants to qualify for a refund and specifies the refund available if applicants are deemed unqualified to take the examination; (3) Specifies the current policy regarding the abandonment of applications; and, (4) Clarifies the net refund amount that will be paid if there is an outstanding balance.**
(Back-to-Back) (Braun) [Pages 21 - 28]
- C. **Proposed Amendments to Rules 957, *California Rules of Court*, which: (1) permit a fee to be collected for the registration of unaccredited and correspondence law schools; (2) require that correspondence law schools meet the same requirements as unaccredited law schools, as much as feasible, for registration; (3) remove the specific library requirements for unaccredited law schools; and, (4) make other non-substantive changes.**
Return from Public Comment (Back-to-Back) (Braun) [Pages 29 - 78]
- D. **Proposed Revisions to State Bar Sample Fee Agreement Forms**
Return from Public Comment–(Back-to-back) (Sperber) [Pages 79 - 130]
- E. **Potential Amendments to Enhance the State Bar's Authority to Bring Unauthorized Practice of Law Enforcement Actions [EMERGENCY ITEM]**
(Doyle, Williams) *Materials to be distributed the meeting*

IV. INFORMATION

- A. **Members Records on State Bar Website - Proposed Policy for Optional Expungement of Record of Suspension from Practice for Failing to Pay Member Fees** (Babcock) [Pages 131 - 140]

V. REPORTS

(15 minutes)

- A. ABA Discipline System Consultation Report - Pending before the Supreme Court**
(Drexel)
- B. Status Report from Admissions**
(Braun) *[Pages 141 - 142]*
 - 1. Fees paid by Registrants, Applicants for Committee Administered Examination and Applicants for Determination of Moral Character —proposed increases, to be effective January 1, 2006**
On the Planning, Program Development and Budget Committee agenda for action. To be effective January 1, 2006.
 - 2. Fees Paid for Providing Educational Standards Services and the Accreditation of Law Schools—proposed increases, to be effective January 1, 2006**
On the Planning, Program Development and Budget Committee agenda for action. To be effective January 1, 2006.
- C. Status Report from Office of Chief Trial Counsel**
(Drexel) *[Pages 143 - 146]*
- D. Status Report from State Bar Court**
(Cobb) *[Pages 147 - 152]*
- E. Status Report from Client Security Fund**
(Drexel) *Written materials to be distributed at the meeting.*
- F. Status Report from Mandatory Fee Arbitration**
(Drexel) *[Pages 153 - 154]*
- G. Status Report from Office of Probation**
(Drexel) *[Pages 155 - 156]*
- H. Status Report from Competence**
(Difuntorum) *[Pages 157 - 174]*

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I. Advice of Counsel on Open Session Agenda Items

Closed Pursuant to Article 3, Section 2, Subdivision (b), Rules Governing Open Meetings, Closed Sessions and Records of the Board of Governors